

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SENTINEL INSURANCE COMPANY, LTD.,

Plaintiff,

-VS-

CONRAD J. BENEDETTO, individually and doing
business as THE LAW OFFICES OF CONRAD J.
BENEDETTO, and JOHN GROFF,

Defendants.

CONRAD J. BENEDETTO, THE LAW
OFFICES OF CONRAD J. BENEDETTO, and
JOHN GROFF,

Plaintiffs,

-VS-

SENTINEL INSURANCE COMPANY, LTD.,
JOHN DOES and ABC ENTITIES A-Z,

Defendants.

Civil Action No. 19-cv-20142-RMB-AMD

Motion Return Date: March 21, 2022

**DECLARATION OF
PATRICK D. BONNER, JR.**

Patrick D. Bonner, Jr., pursuant to 28 U.S.C. § 1746, declares the following:

1. I am a member of Menz Bonner Komar & Koenigsberg LLP, counsel for Plaintiff Sentinel Insurance Company, Ltd. (“Sentinel”). I submit this declaration in opposition to the motion of Defendants Conrad J. Benedetto (“Mr. Benedetto”) and The Law Offices of Conrad J. Benedetto (the “Benedetto Firm”) (collectively, “Defendants”) for relief from this Court’s March 22, 2021 Order pursuant to Federal Rule of Civil Procedure 60(b)(2).

2. On February 18, 2020, the parties appeared for a telephonic Rule 16 conference before Magistrate Judge Donio. I appeared on behalf of Sentinel and attorney Anthony Scordo appeared on behalf of Defendants. Counsel for Defendants and Sentinel agreed that the issues to be addressed in this coverage action were purely legal issues and discovery was unnecessary.

3. A true and correct copy of the February 18, 2021 Scheduling Order issued following the Rule 16 conference is attached hereto as Exhibit A. The Scheduling Order reflected that “[b]y consent, no discovery shall be conducted prior to the filing of dispositive motions.” *Id.* at 2.

4. After this Court issued its summary judgment decision in the action, Magistrate Judge Donio issued a Text Order on May 3, 2021 directing the parties to submit a joint status report to the Court by no later than May 17, 2021. *See* ECF Docket Entry No. 45. Pursuant to that Text Order, on May 12, 2021, my office emailed counsel for Defendants and provided a draft letter to Magistrate Judge Donio advising that, following this Court’s March 22, 2021 Order on the motions for summary judgment, all issues had been fully resolved and the case should be deemed concluded. Sentinel requested that Defendants confirm their agreement and sign-off to the letter submission by 3:00 p.m. on May 14, 2021.

5. After Counsel for Defendants did not respond or provide any comments, Sentinel proceeded to file the letter to Magistrate Judge Donio at the end of the day on May 14, 2021, indicating that all counsel were notified and no objection was received from Defendants. *See* ECF Doc. No. 46.

6. On May 26, 2021, this Court issued a Text Order directing the Clerk of Court to close this case. *See* ECF Doc. No. 49.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 7, 2022.

s/ Patrick D. Bonner, Jr.
PATRICK D. BONNER, JR.